

## MEMORANDUM

TO: Title II Part A Coordinators

FROM: Ken Hockensmith

DATE: September 7, 2004

SUBJECT: **Changes in Title II Part A guidance, Title II reporting, MAX – People Manager, Web-site,**

### **Title II Part A Guidance**

There are a few changes to the guidelines for use of Title II Part A funds. US-DOE has broadened the use of Title II funds for salaries and professional development. You may continue to use the funds for class-size reduction initiatives. H-16 of the Non-regulatory Guidance provides examples of how funds may be used for class-size reduction. The most recent Non-regulatory guidance document was issued January 16, 2004. You may access the guidance document from the US-DOE or KDE web sites:  
<http://www.ed.gov/programs/teacherqual/guidance.doc>

<http://www.education.ky.gov/KDE/Administrative+Resources/Educator+Recruitment+and+Retention/Title+II+Part+A.htm>

The following are Frequently Asked Questions pertaining to “Local Use of Funds” for salaries and professional development, from the Title II Part A Non-regulatory guidance. In addition, I’ve included an FEQ regarding state mandated activities related to the supplement or supplant issue.

#### **H-4. When can *Title II, Part A* funds be used to pay teacher salaries?**

*Title II, Part A* funds can be used to pay the salaries of teachers hired for the purpose of reducing class size. *Title II, Part A* funds can also, as part of an overall strategy to improve teacher quality, be used for teacher incentives (e.g., to recruit teachers for hard-to-fill positions or retain teachers who have been effective in helping low-achieving students to succeed) or to pay the salaries of master teachers who provide or coordinate professional development services for other teachers.

In addition, as reasonable and necessary, *Title II, Part A* funds may be used to pay for substitute teachers if, and only if, (a) those regular classroom teachers they are replacing were hired with *Title II, Part A* funds to reduce class size, or (b) the teachers are participating in *Title II*-funded “programs and activities that are designed to improve the quality of the teacher force, such as...innovative professional development programs...” [Section 2123(a)(5)(A)]. LEAs also must ensure that the hiring of these substitutes supplements, and does not supplant, the use of local and State funds they would otherwise be spending for substitutes.

**H-6. When may an LEA use *Title II, Part A* funds for programs to recruit and retain pupil services personnel (e.g., guidance counselors)?**

An LEA may use *Title II, Part A* funds for these activities, but only if the LEA is making progress toward meeting the annual measurable objectives described in *Title I*, Section 1119(a)(2) of ESEA, and in a manner consistent with mechanisms to assist schools in effectively recruiting and retaining highly qualified teachers and principals.

**H-9. May LEAs use *Title II, Part A* funds to provide training to enhance the involvement of parents in their child's education?**

Yes, LEAs may use program funds to provide training to enhance the involvement of parents in their child's education.

Parental involvement is best encouraged through regular, two-way, and meaningful communications about student learning and other school activities. Effective strategies may include (1) promoting the understanding that parents are true partners in their children's education and communicating the need for parents to help their children succeed in school, and (2) providing parents with specific suggestions, on an ongoing basis, about ways to encourage learning at home and ways to be actively involved in their child's education at school.

**H-15. May *Title II, Part A* funds be used for State-mandated activities?**

The ability of an SEA or LEA to use *Title II, Part A* funds to carry out activities mandated by a State depends upon whether non-Federal funds are available to carry out those activities. Presumably, in the absence of *Title II, Part A* funds, the SEA or LEA would use State or local funds to implement any laws enacted by the State legislature or rules mandated by the State Board of Education or the SEA. If that is the case, using *Title II, Part A* funds for those activities would violate the non-supplanting requirement, because the SEA or LEA would be using Federal funds for activities that it would otherwise support with other funds.

However, in certain instances, an SEA or LEA may be able to overcome the presumption that supplanting will result if *Title II, Part A* funds are used for a State-mandated program or activity. In order to make such a case, the SEA or LEA should have available written documentation (e.g., budget information, planning documents, or other materials) demonstrating that it would not be able to meet State mandates without the use of *Title II, Part A* funds. An agency must be able to reasonably document that the activities funded under *Title II, Part A* are, in fact, supplemental, even though some of them are mandated by the State.

In general, an SEA or LEA must determine what educational activities it would support if no *Title II, Part A* funds were available. If it is clear that no State or local funds remain available to fund certain activities that previously were funded with State or local resources, then the SEA or LEA may be able to use *Title II, Part A* funds for those activities. In no event, however, may an SEA or LEA decrease State or local funds for particular activities simply because *Title II, Part A* funds are available.

## **Title II Part A Reporting**

I have attached a copy of the Title II Part A reporting document. The report is officially due September 15, 2004, but because of delays in new guidance from the United States department of Education, the report will be due October 15, 2004. Keep in mind that initiatives should focus on the move toward High Quality Teachers. I have created an instruction page for the evaluation document (attached). If you have any questions regarding the reporting document, please contact me, and I will address any concerns. You may mail, fax, or e-mail your district Title II report. If you add initiative descriptions, with attachments, in order to avoid confusion, please site each attachment on the report form.

## **WEB-Site**

You will find a Title II page under Educator Recruitment & Retention on the KDE web site. Currently, we have no web manager, so there is very little information listed. While the web page is still under development and will be updated and ready for use, within a few weeks. The plan for the web page is to include the following information:

- Links to Title II Guidance sites
- Updates to guidance, and clarification, and/or interpretation of NCLB
- Title II documents, and resources
- Research of successful strategies for use of Title II funds
- Grant opportunities for Teacher Quality initiatives
- Information about opportunities to participate Title II partnerships

If you have any suggestions for the web site, or you would like to share successful strategies, contact me via e-mail and with you suggestions, ideas, and strategies.

## **MAX – People Manager**

I have attached an update for the People Manager Data Tracking system. Due to a corrupted database, I have no current listing for Title II coordinators. The problem has been corrected, but I must recreate the database. Please complete the People Manager document, and submit by mail, fax or electronically via e-mail.

**Ken Hockensmith - khockens@kde.state.ky.us**  
**Division of Educator Recruitment & Retention**  
**1718 Capital Plaza Tower**  
**500 Mero Street**  
**Frankfort, KY 40601**  
**(502) 564-1479 ext: 4719**  
**FAX (502) 564-6952**